SEVENTY-EIGHTH DAY (Saturday, May 19, 1973)

The Senate met at 10:00 o'clock a.m, pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Senator Jim Wallace offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

REPORTS OF STANDING COMMITTEES

Senator Wallace submitted the following reports for the Committee on Intergovernmental Relations:

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S.B. 469
S.B. 954
S.B. 955 (Amended)
S.B. 976
C.S.S.B. 761 (Read first time)
C.S.S.B. 497 (Read first time)
H.B. 910
H.B. 974
H.B. 1111
H.B. 999
H.B. 1681
H.B. 233
H.B. 1615
H.B. 1667
H.B. 1109
H.B. 1519
H.B. 1192
H.B. 1024
H.B. 1183
H.B. 1364
H.B. 1240
H.B. 1467
C.S.H.B. 162 (Read first time)
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Senator Brooks submitted the following reports for the Committee on Human Resources:

The nomination of Mr. Robert Parsley to be a member of the Texas Board of Mental Health and Mental Retardation.

The nomination of Mr. Jackie St. Clair to be Commissioner of the Bureau of Labor Statistics.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives Austin, Texas, May 19, 1973 Honorable William P. Hobby President of the Senate

- Sir: I am directed by the House to inform the Senate that the House has passed the following:
- H.B. 379, A bill to be entitled An Act relating to the authority of navigation districts to issue bonds secured by taxes, bonds secured by revenues and bonds secured by combination of taxes and revenues; amending Chapter 60 of the Water Code by adding Subchapter M; and declaring an emergency.
- H.B. 576, A bill to be entitled An Act relating to residency or internship of graduates of foreign medical schools in hospitals in this state; and declaring an emergency.
- H.B. 645, A bill to be entitled An Act relating to the membership of the Texas Animal Health Commission; amending Article 7009, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.
- H.B. 740, A bill to be entitled An Act relating to maternity leave for certified employees of school districts; amending Chapter 13, Texas Education Code, by adding Section 13.905; and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

SENATE CONCURRENT RESOLUTION 117

Senator Schwartz offered the following resolution:

S.C.R. 117, Requesting return of S.B. 216 from the Governor.

On motion of Senator Schwartz and by unanimous consent, the resolution was considered immediately and was adopted.

MESSAGE FROM GOVERNOR

The following Message from the Governor was read and referred to the Committee on State Affairs:

Austin, Texas May 18, 1973

TO THE SENATE OF THE SIXTY-THIRD LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE A MEMBER OF THE BATTLESHIP TEXAS COMMISSION:

For a six-year term to expire May 1, 1979: Mr. Lloyd Gregory of Houston, Harris County, for reappointment. Admiral Joseph B. Hutchison of Tyler, Smith County, for reappointment. Mr. Ralph F. Block of Houston, Harris County, for reappointment.

> Respectfully submitted, DOLPH BRISCOE Governor of Texas

SENATE BILL 858 WITH HOUSE AMENDMENT

Senator Schwartz called S.B. 858 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the House amendment before the Senate.

AMENDMENT NO. 1

Amend S.B. 858 on page 1 by striking all above the enacting clause and substituting the following:

"amending Section 3, Lower Colorado River Authority Act, as amended (Article 8280-107, Vernon's Texas Civil Statutes) and Section 3, Upper Colorado River Authority Act (Article 8280-109, Vernon's Texas Civil Statutes) as amended, to increase per diem payments for directors of the Upper Colorado River Authority and for directors of the Lower Colorado River Authority from \$25 to \$50 per day; and declaring an emergency."

The House amendment was read.

Senator Schwartz moved to concur in House amendment.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Harrington, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent: Gammage and Harris.

SENATE BILL 990 RE-REFERRED

On motion of Senator Sherman and by unanimous consent, S.B. 990 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Finance.

SENATE BILL 263 WITH HOUSE AMENDMENT

Senator Brooks called S.B. 263 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the House amendment before the Senate.

COMMITTEE AMENDMENT NO. 1

Amend S.B. 263, First Printing, in the following respects:

a. Delete lines 10 through 14, page 1, and substitute therefor the following:

"Article 4. REAL ESTATE LOANS--LIMITATIONS--EXCEPTIONS.

State banks are authorized to make loans upon the security of real estate and invest their funds in obligations secured by real estate subject to such rules and regulations as may be imposed by the Banking Section of the Finance Commission of Texas relating to margin requirements, repayment programs or terms, and the aggregate in the various types and classes of real estate loans;

provided, however, that no state bank shall make a loan upon security of real estate or invest its funds in obligations secured by real estate unless:".

- b. Strike the words "of Sections 1, 2 and 3" on line 20, page 3.
- c. Strike Sections 2 and 3 of quoted Article 4, in Section 1 of the bill, and renumber the succeeding sections accordingly.

The House amendment was read.

Senator Brooks moved to concur in House amendment.

The motion prevailed by the following vote: Yeas 29, Nays 0, Present-Not voting 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Present-Not voting: Blanchard.

Absent: Harris.

HOUSE BILLS ON FIRST READING

The following bills received from the House, were read the first time and referred to the Committee indicated:

H.B. 1521, To Committee on Administration.

H.B. 1455, To Committee on Administration.

H.B. 1690, To Committee on Administration.

H.B. 1686, To Committee on Administration.

H.B. 1666, To Committee on Jurisprudence.

H.B. 1674, To Committee on Administration.

H.B. 1648, To Committee on Administration.

H.B. 791, To Committee on Administration. H.B. 545, To Committee on Jurisprudence.

H.B. 844, To Committee on Jurisprudence.

H.B. 1201, To Committee on Administration.

COMMITTEE SUBSTITUTE SENATE BILL 442 ON THIRD READING

Senator Aikin asked unanimous consent to suspend the regular order of business and take up C.S.S.B. 442 for consideration at this time.

There was objection.

Senator Aikin then moved to suspend the regular order of business and take up C.S.S.B. 442 for consideration at this time.

The motion prevailed by the following vote: Yeas 23, Nays 5.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Gammage, Harrington, Harris, Hightower, Jones, Kothmann, Longoria, Mauzy, McKnight, Meier, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Creighton, Herring, McKinnon, Moore and Patman.

Absent: Mengden, Ogg and Wallace.

The President Pro Tempore laid before the Senate on its third reading and final passage:

C.S.S.B. 442, A bill to be entitled An Act stating legislative purpose; defining terms; providing certain limitations on the use of convict labor; providing injunctive relief; repealing all laws in conflict; providing for severability; and declaring an emergency.

The bill was read third time.

(President in Chair)

Senator Aikin offered the following amendment to the bill:

Amend the Committee Substitute for S.B. 442 by amending Section 3 to read as follows:

"Sec. 3. The Texas Department of Corrections is prohibited from acting in any way so as to permit, by contract or otherwise, the use of convict labor in the construction of any public or private facility except in the remodeling, modification, or additional construction required of an existing prison facility or in the maintenance only of any park under the sole jurisdiction of the State Department of Parks and Wildlife; provided that this Act should not apply to the use of convict labor for any construction being done by such convict labor on the effective date of this Act."

The amendment was read and was adopted by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Jones.

(Senator Hightower in Chair)

Absent: Ogg.

On motion of Senator Mauzy and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was finally passed by the following vote: Yeas 21, Nays 9.

Yeas: Adams, Aikin, Braecklein, Brooks, Clower, Gammage, Harrington, Hightower, Kothmann, Longoria, Mauzy, McKnight, Mengden, Moore, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Andujar, Blanchard, Creighton, Harris, Herring, Jones, McKinnon, Meier and Patman.

Absent: Ogg.

COMMITTEE SUBSTITUTE SENATE BILL 804 ON SECOND READING

Senator Herring asked unanimous consent to suspend the regular order of business and take up C.S.S.B. 804 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business and take up C.S.S.B. 804 for consideration at this time.

The motion prevailed by the following vote: Yeas 23, Nays 6, Present-Not voting 1.

Yeas: Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harris, Herring, Hightower, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Santiesteban, Schwartz, Sherman, Traeger and Wolff.

Nays: Adams, Blanchard, Moore, Patman, Snelson and Wallace.

Present-Not voting: Jones.

Absent: Harrington.

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C.S.S.B. 804, A bill to be entitled An Act relating to the creation of a Board of Radiologic (X-Ray) Technologists Examiners; setting qualifications for applicants for license; issuing and reviewing licenses, defining violations and penalties; and declaring an emergency.

The bill was read second time.

Senator Herring offered the following amendment to the bill:

Amend Senate Committee Substitute for S.B. 804 by adding thereto a new Section 15 and renumbering Sections 15 and 16 as Sections 16 and 17, to read as follows:

"Section 15. PRACTICE OF MEDICINE NOT AUTHORIZED. Nothing in this Act shall be construed to amend, modify, or repeal any law relating to licensure or the regulation of the practice of medicine nor shall this Act be construed to authorize any person licensed hereunder to practice medicine unless such person is licensed by the Texas State Board of Medical Examiners."

The amendment was read and was adopted.

(President in Chair)

Senator Herring offered the following amendment to the bill:

Amend Senate Committee Substitute for S.B. 804 by adding Subpart (5) to Section 6, Subsection (C) to read as follows:

"(5) A person acting as a radiologic (x-ray) technologist who, under the supervision of a licensed physician, operates radiologic equipment in the office or clinic of such licensed physician."

The amendment was read and was adopted.

Senator Wallace offered the following amendment to the bill:

Amend the Committee Substitute for S.B. 804 by adding a new subsection (a) to Section 12 thereof to read as follows:

"(a) Licenses under this act shall be issued for two year periods. The Board by rule may adopt a system under which registrations expire on various dates during the year. For the year in which the expiration date is changed, registration fees payable on January I shall be prorated on a monthly basis so that each registrant shall pay only that portion of the registration fee which is allocable to the number of months during which the registration is valid. On renewal of the registration on the new expiration date, the total registration fee is payable."

The amendment was read and was adopted.

On motion of Senator Herring and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTES

Senators Clower and Wallace asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 804 ON THIRD READING

Senator Herring moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 804 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Adams, Blanchard, Moore, Patman and Wallace.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Blanchard, Clower, Wallace, Patman and Aikin asked to be recorded as voting "Nay" on the final passage of the bill.

HOUSE BILL 545 RE-REFERRED

On motion of Senator Longoria and by unanimous consent, H.B. 545 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on Administration.

CO-AUTHOR OF SENATE BILL 514

On motion of Senator Patman and by unanimous consent, Senator Herring will be shown as Co-author of S.B. 514.

SENATE BILL 60 WITH HOUSE AMENDMENTS

Senator Ogg called S.B. 60 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

COMMITTEE AMENDMENT NO. 1

Amend S.B. 60, First Printing, by striking quoted Article 4591 and substituting the following:

"Article 4591. ENUMERATION. The first day of January, the third Monday in February, the second day of March, the 21st day of April, the last Monday in May, the third day of June, the fourth day of July, the 27th day of August, the first Monday in September, the second Monday in October, the fourth Monday in October, the fourth Thursday in November, and the 25th day of December, of each year, and every day on which an election is held throughout the state, are declared legal holidays, on which all the public offices of the state may be closed and shall be considered and treated as Sunday for all purposes regarding the presenting for the payment or acceptance and of protesting for and giving notice of the dishonor of bills of exchange, bank checks and promissory notes placed by the law upon the footing of bills of exchange. The third day of June shall be known as 'Confederate Heroes Day' in honor of Jefferson Davis, Robert E. Lee and other Confederate Heroes."

FLOOR AMENDMENT NO. 1

Amend Senate Bill 60, as amended, by striking Section 2 of the printed bill and renumbering the succeeding sections accordingly, and amending the caption to conform to the body of the bill.

The House amendments were read.

Senator Ogg moved to concur in House amendments.

Senator Blanchard made the substitute motion that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the difference between the two Houses on the bill.

Question on the substitute motion, the substitute motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on S.B. 60 before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Ogg, Wolff, Blanchard, Schwartz and Traeger.

HOUSE BILL 959 ON SECOND READING

On motion of Senator Traeger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 959, A bill to be entitled An Act relating to the delivery of wine and beer to hotel rooms by Mixed Beverages Permitees; amending Subsection (22), Section 15, Article 1, Texas Liquor Control Act, as amended (Article 666-15,

Vernon's Texas Penal Code); and declaring an emergency.

The bill was read second time and was passed to third reading.

RECORD OF VOTES

Senators Aikin, Clower and Mauzy asked to be recorded as voting "Nay" on the passage of the bill to third reading.

HOUSE BILL 959 ON THIRD READING

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 959 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Kothmann, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Snelson, Traeger, Wallace and Wolff.

Nays: Adams, Aikin, Hightower, Jones, Mauzy and Sherman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 7.

Yeas: Andujar, Blanchard, Braecklein, Brooks, Creighton, Gammage, Harrington, Harris, Herring, Kothmann, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Snelson, Traeger, Wallace and Wolff.

Nays: Adams, Aikin, Clower, Hightower, Jones, Mauzy and Sherman.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 340 ADOPTED

Senator Gammage called from the President's Table the Conference Committee Report on H.B. 340. (The Conference Committee Report having been filed with the Senate and read on May 17, 1973.)

On motion of Senator Gammage, the Conference Committee Report was adopted by the following vote: Yeas 21, Nays 9, Present-Not voting 1.

Yeas: Adams, Aikin, Andujar, Brooks, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Santiesteban, Schwartz, Sherman, Snelson and Wallace.

Nays: Blanchard, Braecklein, Clower, Jones, Mauzy, McKinnon, Patman, Traeger and Wolff.

Present-Not voting: Ogg.

SENATE RESOLUTION 812

By unanimous consent, Senator Sherman offered the following resolution:

S.R. 812, Instructing Senate Natural Resources Committee and Citizens

Advisory Council to distribute information on existing state programs and/or information regarding water resources of the state.

SHERMAN CREIGHTON

On motion of Senator Sherman and by unanimous consent, the resolution was considered immediately and was adopted.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions received from the House, were read the first time and referred to the Committee indicated:

H.C.R. 135, To Committee on Administration.

H.C.R. 116, To Committee on Administration.

H.C.R. 99. To Committee on Administration.

H.B. 68, To Committee on State Affairs.

H.B. 740, To Committee on Administration.

H.C.R. 54, To Committee on Administration.

H.C.R. 55, To Committee on Finance.

H.B. 702, To Committee on Jurisprudence.

H.B. 1482, To Committee on Administration. H.C.R. 142, To Committee on Administration.

H.B. 1194, To Committee on Administration.

H.B. 877, To Committee on Administration. H.B. 645, To Committee on Administration.

H.C.R. 141, To Committee on Administration.

H.B. 837, To Committee on Human Resources.

MOTION TO PLACE HOUSE BILL 311 ON SECOND READING

Senator Hightower moved to suspend the regular order, Senate Rule 12, and take up H.B. 311 for consideration at this time.

Senator Patman raised the Point of Order that it is out of order to consider a House Bill on days other than Wednesday and Thursday because of the provisions of Rule 14 of the Joint Rules.

The President overruled the Point of Order, stating: "The language that is now in Rule 14 has been in the Joint Rules since 1937. These Rules have never been interpreted in the way contemplated by the Point of Order raised by the Senator from Jackson. It is true that this is a badly worded Rule, capable of two interpretations. How far, for example, qualification of the word 'only' carries over is ambiguous. Two readings are possible, but the Chair feels that it must follow the existing precedent in the matter and the precedent is all one way. There is no precedent at all for the Chair to rule that it is out or order to consider House Bills on any day.

"In the 46th Regular Session, Lieutenant Governor Stevenson ruled on the point that you rise to now, that the Senate could not consider a House Bill on any days except Wednesday and Thursday, the contention being that since the Senate Rules set aside Wednesday and Thursday for consideration of House Bills, no such Bill may be considered on other days except under suspension of both the Senate and Joint Rules.

"Lieutenant Governor Barry Miller refused to rule on the Point and submitted it to the Senate for its decision. The Senate refused to sustain the Point of Order by a vote of ten 'yeas' and twenty-one 'nays'. That was in the 39th Regular Session.

"There are other precedents, a ruling by Lieutenant Governor Stevenson in

the 46th Regular Session, a ruling by Lieutenant Governor Smith in the 48th Regular Session; therefore, a reading of the Rule permits two constructions - the precedent is entirely on the side of overruling your Point of Order and the Point of Order is overruled."

Question on the motion to suspend the regular order, Senate Rule 12, the motion was lost by the following vote: (Not receiving two-thirds vote of the Members present) Yeas 17, Nays 13, Present-Not voting 1.

Yeas: Adams, Aikin, Andujar, Brooks, Creighton, Gammage, Harrington, Hightower, Jones, Kothmann, Longoria, Mengden, Ogg, Schwartz, Traeger, Wallace and Wolff.

Nays: Blanchard, Clower, Harris, Herring, Mauzy, McKinnon, McKnight, Meier, Moore, Patman, Santiesteban, Sherman and Snelson.

Present-Not voting: Braecklein.

REASON FOR VOTE

I voted against suspending the rules to take up H.B. 311 because I knew that if this bill was brought up at this time, it would cause a filibuster. I had hoped, and still hope, that the Senate will consider S.B. 971 today. S.B. 971 is the emergency school finance bill. This vote should not be interpreted by anyone as to how I will vote in the future, either for or against H.B. 311.

MAUZY

NOTICES OF INTENT

The following Notices of Intent were filed with the Secretary of the Senate:

Monday, May 21, 1973

S.J.R. 26 - Senator Wallace

S.B. 86 - Senator Brooks

S.B. 117 - Senator Mengden

S.B. 181 - Senator Patman

S.B. 184 - Senator Mengden

C.S.S.B. 202 - Senator Brooks

S.B. 285 - Senator Mauzy

C.S.S.B. 456 - Senator Jones

S.B. 469 - Senator Mauzy

C.S.S.B. 490 - Senator Brooks

C.S.S.B. 495 - Senator Brooks

S.B. 514 - Senator Herring

C.S.S.B. 628 - Senator Mengden

S.B. 687 - Senator Mauzy

S.B. 712 - Senator Mauzy

S.B. 783 - Senator Ogg

S.B. 800 - Senator Mauzy

C.S.S.B. 837 - Senator Jones

S.B. 852 - Senator Mauzy

S.B. 967 - Senator Ogg

S.B. 971 - Senator Mauzy

C.S.H.B. 83 - Senator Adams

H.B. 91 - Senator Patman

H.B. 167 - Senator Longoria

C.S.H.B. 169 - Senator Jones

- H.B. 181 Senator Patman
- H.B. 200 Senator Ogg
- H.B. 370 Senator Mauzy
- H.B. 371 Senator Mauzy
- H.B. 441 Senator Mauzy
- H.B. 569 Senator Ogg
- H.B. 628 Senator Traeger
- H.B. 974 Senator Schwartz
- H.B. 845 Senator Brooks
- H.B. 865 Senator Aikin
- H.B. 1422 Senator Aikin

Wednesday, May 23, 1973

H.B. 316 - Senator Gammage

WELCOME AND CONGRATULATORY RESOLUTIONS

- S.R. 811 By Senator Wolff: Extending congratulations to Madia Elizabeth Estes.
 - S.R. 813 By Senator Aikin: Extending welcome to Jim Asken.
- S.R. 814 By Senator Harrington: Extending congratulations to Judge George D. Taylor.

ADJOURNMENT

Senator Aikin moved the Senate take recess until 2:00 o'clock p.m. today.

Senator McKnight made the substitute motion that the Senate stand adjourned until 11:00 o'clock a.m. Monday.

Question on the motion to adjourn, the motion prevailed by the following vote: Yeas 18, Nays 13.

Yeas: Adams, Blanchard, Braecklein, Clower, Creighton, Harris, Herring, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Patman, Santiesteban, Sherman, Snelson and Traeger.

Nays: Aikin, Andujar, Brooks, Gammage, Harrington, Hightower, Jones, Kothmann, Mauzy, Ogg, Schwartz, Wallace and Wolff.

Accordingly the Senate at 12:13 o'clock p.m. adjourned until 11:00 o'clock a.m. Monday.

SEVENTY-NINTH DAY (Monday, May 21, 1973)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present: Adams,